

CHAPTER 361  
LICENSURE OF INTERPRETER FOR THE HEARING IMPAIRED PRACTITIONERS

**645—361.1(80GA,ch1175) Definitions.** For purposes of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

“*Board*” means the board of interpreter for the hearing impaired examiners.

“*Grace period*” means the 30-day period following expiration of a license when the license is still considered to be active. In order to renew a license during the grace period, a licensee is required to pay a late fee.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Licensee*” means any person licensed to practice as an interpreter for the hearing impaired in the state of Iowa.

“*License expiration date*” means June 30 of odd-numbered years.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice as an interpreter for the hearing impaired to an applicant who is or has been licensed in another state.

“*Reactivate*” or “*reactivation*” means the process as outlined in rule 361.9(17A,147,272C) by which an inactive license is restored to active status.

“*Reciprocal license*” means the issuance of an Iowa license to practice as an interpreter for the hearing impaired to an applicant who is currently licensed in another state that has a mutual agreement with the Iowa board of interpreter for the hearing impaired examiners to license persons who have the same or similar qualifications to those required in Iowa.

“*Reinstatement*” means the process as outlined in 645—11.31(272C) by which a licensee who has had a license suspended or revoked or who has voluntarily surrendered a license may apply to have the license reinstated, with or without conditions. Once the license is reinstated, the licensee may apply for active status.

**645—361.2(80GA,ch1175) Requirements for licensure.**

**361.2(1)** The following criteria shall apply to licensure:

a. The applicant shall complete a board-approved application packet. Application forms may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the board office. All applications shall be sent to Board of Interpreter for the Hearing Impaired Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

b. The applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board until properly completed.

c. Each application shall be accompanied by the appropriate fees payable by check or money order to the Board of Interpreter for the Hearing Impaired Examiners. The fees are nonrefundable.

d. No application will be considered by the board until the applicant successfully passes one of the following examinations:

(1) National Association of the Deaf (NAD) examination level III or above; or

(2) One of the following examinations of the Registry of Interpreters for the Deaf National Testing System (NTS):

1. Certificate of Interpretation (CI); or
2. Certificate of Transliterating (CT); or
3. Certificate of Interpretation/Certificate of Transliterating (CI/CT); or
4. Interpreting Certificate/Transliterating Certificate (IC/TC); or

5. Comprehensive Skills Certificate (CSC); or
6. Certificate Deaf Interpreter (CDI); or
- (3) The National Council on Interpreting National Interpreters Certification (NIC) Generalist Test, Certified Deaf Interpreter Test, or Oral Transliteration Test; or
- (4) The Educational Interpreter Performance Assessment (EIPA) with a score of 3.5 or above obtained after December 31, 1999.

e. It is the responsibility of the applicant to make arrangements to take the examination and have the official results submitted directly to the Board of Interpreter for the Hearing Impaired Examiners.

**361.2(2)** Licensees who were issued their licenses within six months prior to the renewal shall not be required to renew their licenses until the renewal month two years later.

**361.2(3)** Incomplete applications that have been on file in the board office for more than two years shall be considered invalid and shall be destroyed.

**361.2(4)** An applicant for licensure who has not successfully completed the board-approved examination set forth in paragraph 361.2(1) “d” by July 1, 2005, but has complied with all other requirements in paragraphs 361.2(1) “a” through “c” shall be issued a temporary license to practice interpreting for a period not to extend beyond July 1, 2007.

**361.2(5)** An applicant who is issued a temporary license must successfully complete the board-approved examination set forth in paragraph 361.2(1) “d” on or before July 1, 2007, and must satisfy the licensure requirements specified in 645—Chapter 361 in order to maintain licensure.

**361.2(6)** An applicant who is issued a temporary license is subject to the same criteria as a licensed interpreter as defined in 2004 Iowa Acts, chapter 1175, Iowa Code chapter 147 and 645—Chapters 360 and 364.

**645—361.3(80GA,ch1175) Licensure by endorsement.** An applicant who has been a licensed interpreter for the hearing impaired under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

1. Submits to the board a completed application;
2. Pays the licensure fee;
3. Shows evidence of licensure requirements that are similar to those required in Iowa;
4. Provides an equivalency evaluation of foreign educational credentials sent directly from the equivalency service to the board;
5. Provides:
  - Examination scores which shall be sent directly from the examination service to the board; or
  - A notarized certificate which shall be submitted showing proof of the successful completion of the examination specified in rule 361.2(80GA,ch1175); and
6. Provides verification of license(s) from every jurisdiction in which the applicant has been licensed, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification directly from the jurisdiction’s board office if the verification provides:
  - The licensee’s name;
  - The date of initial licensure;
  - Current licensure status; and
  - Any disciplinary action taken against the license.

**645—361.4(147) Licensure by reciprocal agreement.** The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of interpreters for the hearing impaired.

**645—361.5(80GA,ch1175) License renewal.**

**361.5(1)** The biennial license renewal period for a license to practice as an interpreter for the hearing impaired shall begin on July 1 of an odd-numbered year and end on June 30 of the next odd-numbered year. The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license. The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

**361.5(2)** An individual who was issued a license within six months of the license renewal date will not be required to renew the license until the subsequent renewal date two years later.

**361.5(3)** A licensee seeking renewal shall:

*a.* Meet the continuing education requirements. A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and

*b.* Submit the completed renewal application and renewal fee before the license expiration date.

**361.5(4)** Upon receiving the information required by this rule and the required fee, board staff shall administratively issue a two-year license and shall send the licensee a wallet card by regular mail. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration or disciplinary investigation.

**361.5(5)** A person licensed to practice as a an interpreter for the hearing impaired shall keep the person's license certificate and wallet card displayed in a conspicuous public place at the primary site of practice.

**361.5(6)** Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 364.1(4). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

**361.5(7)** Inactive license. A licensee who fails to renew the license by the end of the grace period has an inactive license. A licensee whose license is inactive continues to hold the privilege of licensure in Iowa, but may not practice as an interpreter for the hearing impaired in Iowa until the license is reactivated. A licensee who practices as an interpreter for the hearing impaired in the state of Iowa with an inactive license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

**645—361.6(147) Duplicate certificate or wallet card.**

**361.6(1)** A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or a duplicate certificate shall only be issued under such circumstances.

**361.6(2)** A duplicate wallet card or duplicate certificate shall be issued upon receipt of the completed application for duplicate license and payment of the fee as specified in rule 645—364.1(147,80GA,ch1175).

**361.6(3)** If the board receives a completed application for a duplicate license stating that the wallet card or certificate was not received within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or duplicate certificate.

**645—361.7(147) Reissued certificate or wallet card.** The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 645—364.1(147,80GA,ch1175).

**645—361.8(17A,147,272C) License denial.**

**361.8(1)** When the board denies licensure to an applicant, the board shall notify the applicant of the denial in writing, by certified mail, return receipt requested, or in the manner of service of an original notice, and shall cite the reasons for which the application was denied.

**361.8(2)** An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a written notice of appeal and request for hearing upon the board by certified mail, return receipt requested, not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing as outlined in these rules shall specifically describe the facts to be contested and determined at the hearing.

**361.8(3)** If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C and 645—Chapter 11.

**645—361.9(17A,147,272C) License reactivation.** To apply for reactivation of an inactive license, a licensee shall:

**361.9(1)** Submit a reactivation application on a form provided by the board.

**361.9(2)** Pay the reactivation fee that is due as specified in 645—364.1(147,80GA,ch1175).

**361.9(3)** Provide verification of current competence to practice interpreting for the hearing impaired by satisfying one of the following criteria:

*a.* If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period in which the Iowa license was inactive sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. The licensee's name;
2. The date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completing 40 hours of continuing education within two years of the application for reactivation.

*b.* If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period in which the Iowa license was inactive sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. The licensee's name;
2. The date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of 80 hours of continuing education within two years of application for reactivation.

**645—361.10(17A,147,272C) License reinstatement.** A licensee whose license has been revoked, suspended, or voluntarily surrendered must apply for and receive reinstatement of the license in accordance with 645—11.31(272C) and must apply for and be granted reactivation of the license in accordance with 361.9(17A,147,272C) prior to practicing interpreting for the hearing impaired in this state.

These rules are intended to implement Iowa Code chapters 17A, 147 and 272C and 2004 Iowa Acts, chapter 1175, sections 426 to 429.

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